

REMARKS/ARGUMENTS

Claims 1-6, 8-20 and 22 are pending in this application. By this Amendment, claim 1 is amended and claim 7 is canceled without prejudice or disclaimer. Reconsideration in view of the above amendments or the following remarks is respectfully requested.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance (for the reasons discussed herein); (2) do not raise any new issues requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution without incorporating additional subject matter); and/or (3) place the application in better form for appeal (if necessary). Entry is thus requested.

A. The Office Action rejects claims 1, 8, 10 and 22 under 35 U.S.C. §112, first paragraph as failing comply with the written description requirement. The rejection is respectfully traversed.

The Office Action appears to be rejecting at least subject matter of a main unit that includes separated first and second key sections exposed in a surface of the main unit, wherein the first key section provides a first functionality and the second key section provides a second functionality different than the first functionality, and wherein the display unit is configured to slide relative to the surface of the main unit to a first position where both the first and second key sections of the main unit are exposed, a second position where only one of the key sections

is exposed, and a third position where both the first and second key sections are not exposed and combinations thereof, for example, as recited in claim 1.

With respect to claim 1, Applicants respectfully submit that at least paragraphs 34-35 of the specification as filed describe an embodiment of the portable terminal where a main unit 30 includes a plurality of number keys 31 at a front surface thereof with the function of inputting numbers and multimedia keys 33 at a prescribed location below the number keys 31 (e.g., at a lower end of the front surface of the main unit 30) to perform multimedia functions of the portable terminal such as camera and MP3 functions. See at least Figures 3 and 7a of the specification.

Further, Applicants respectfully submit that at least paragraphs 47-53 of the specification describes one embodiment of the portable terminal whereby movement between a first position (e.g., closed as shown in Figure 6A), a second position (e.g., partially opened for multimedia keys 33 use as shown in Figure 7A) and fully opened (e.g., for number keys 31 use or both multimedia keys 33 and the number keys 31 use as shown in Figure 8A) are described.

Thus, Applicants respectfully submit that the specification and claims describe at least one exemplary embodiment where a main unit includes separated (e.g., at a prescribed location below) first (e.g., number keys 31) and second (e.g., multimedia keys 33) key sections exposed in a surface (front surface) of the main unit (e.g., main unit 30), wherein the first key section performs a first functionality and the second key section performs a second functionality different from the first functionality and combinations thereof as recited. Further, Applicants

respectfully submit that the specification as filed describes at least one exemplary embodiment where a display unit (e.g., display unit 40) can be selectively slid to a first position (e.g., Figure 6A) where both the first and second key sections of the main unit (e.g., main unit 30) are exposed, a second position (e.g., Figure 7A) where only one of the key sections is exposed, and a third position (e.g., Figure 8A) where both the first and second key sections are not exposed and combinations thereof as recited in claim 1.

For at least the reasons set forth above, Applicants respectfully submit the specification satisfies the §112, first paragraph written description requirement for claim 1 and for at least similar reasons for claims 8, 10 and 22. Withdrawal of the rejection of claims 1, 8, 10 and 22 under §112, first paragraph is respectfully requested.

B. The Office Action rejects claims 1-14 and 16-22 under 35 U.S.C. §103(a) over U.S. Patent No. 6,961,593 to Lonka et al. (hereafter "Lonka") and U.S. Patent Publication No. 2003/0073414 to Capps et al. (hereafter "Capps"). Since Lonka and Capps do not teach or suggest features recited in the pending claims, the rejection is respectfully traversed.

1) Applicants respectfully submit that Lonka does not teach or suggest at least features of a slide type portable terminal having a main unit that includes separated first and second key sections exposed in a surface of the main unit, wherein the first key section performs a first functionality and the second key section performs a second functionality different than the first functionality, wherein the display unit can be selectively slid to a first position, a second

position where only one of the key sections is exposed, and a third position and combinations thereof as recited in claim 1.

The Office Action asserts Lonka discloses a hand-held communication electronic apparatus (mobile phone 600) that shows separated first (upper part 601) and a second (lower part 602) key sections in Figs. 6a and 6b of Lonka. In contrast to features recited in claim 1, Applicants respectfully submit that upper part 601 includes quick-action keyboard 608 and lower part 602 includes number keyboard 609. See column 4, lines 15-33. Thus, Figs. 6a and 6b of Lonka do not teach or suggest separated first and second key sections exposed in a surface of the main unit and combinations thereof as recited.

Applicants respectfully submit that Figure 6a in Lonka shows mobile phone 600 in an operating position (first position) where number keyboard 609 is fully exposed. Figure 6b of Lonka shows mobile phone 600 in a transport position where number keyboard 609 is completely covered (second position). Thus, Applicants respectfully submit that Figures 6a and 6b of Lonka do not teach or suggest at least features of a second position where only one of the key sections is exposed in contrast to the Office Action's assertion. See line 13 of Item 6 on page 3 of the August 10, 2006 Office Action.

Further, Applicants respectfully submit that Figure 5a (one position) and Figure 5b (another position) of Lonka do not teach or suggest at least features of a main unit that includes separated first and second key sections exposed in a surface of a main unit nor a second position where only one of the key sections is exposed. See Item 6, lines 1-4 of page 4 of the Office

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Action. In contrast, number keyboard 504 is on top part 501 and letter keyboard 506 is on bottom part 502 as shown in Figure 5a (one position) and Figure 5b (another position) of Lonka.

In addition, Applicants respectfully submit Fig. 3 of Lonka discloses a telescopic telephone whereby a lid 302 can be slid between a closed position and an open position (e.g., shown in Fig. 3) relative to housing 301. Mobile phone 300 shown in Fig. 3 of Lonka discloses the distance between the microphone 304 and loudspeaker 305 can be adjusted to fit a user by sliding the lid 302 relative to the housing 301. Thus, Applicants respectfully submit that Lonka discloses a mobile phone 300 sliding between a first position and a third position as recited in claim 1. However, Applicants respectfully submit that Fig. 3 in Lonka does not teach or suggest at least features of a second position where only one of the key sections is exposed and combinations thereof as recited in claim 1.

Also, Applicants respectfully submit that Fig. 3 in Lonka does not teach or suggest a main unit that includes separated first and second key sections exposed in a surface of the main unit, wherein the first key section performs a first functionality and the second key section performs a second functionality different than the first functionality and combinations thereof as recited in claim 1. In contrast, Fig. 3 of Lonka discloses keys 303 having a single functionality. See column 1, line 48-column 2, line 3 of Lonka. See Item 6, lines 1-4 of page 4 of the Office Action.

2) With respect to claim 1, the Office Action asserts Capps teaches a textual and telephone with dual input mode/function device that has the separate or different functions

citing paragraphs 0005, 0022 and 0045 Capps. See Item 6, lines 9-13 of page 4 of the Office Action. In contrast to the Office Action's assertion, Applicants respectfully submit that claim 1 recites a main unit that includes separated first and second key sections exposed in a surface of the main unit, wherein the first key section performs a first functionality and the second key section performs a second functionality different from the first functionality and combinations thereof as recited. Applicants respectfully submit that Capps discloses a device 101 that operates in a textual input mode (e.g., paragraphs 44-45) and a telephony input mode (e.g., paragraphs 46-47). Thus, Applicants respectfully submit that Capps discloses device 101 operates in two positions. Further, device 101 includes keyboard portion 108 with buttons 108a on device 101 (left side) and keyboard portion 109 with buttons 109a on sliding cover 110. See paragraph 0035 of Capps. As shown in Figure 5a, keyboard portion 504 is on pivoting cover 502 and keyboard portion 511 is on device 501. See paragraphs 48-49 of Capps.

Further, Capps discloses the devices 101, 501 in two positions (e.g., textual input mode in Figures 1a-1c, 3c, 4a and 5a-5b and telephony input mode in Figures 2a-2c, 3b, 4b and 5d-5e). See paragraphs 28-32 of Capps.

3) Therefore, Applicants respectfully submit Lonka and Capps, individually or in combination, do not teach or suggest any modifications to its disclosure that would result in at least features of a main unit that includes separated first and second key sections, wherein the first key section performs a first functionality and the second key section performs a second functionality different than the first functionality, wherein the display unit can be slid to a first

position, a second position where only one of the key sections is exposed, and a third position and combinations thereof as recited in claim 1.

4) With respect to claim 2, the Office Action asserts Lonka/Capps teach a slide type portable terminal including a stopper mechanism configured to allow the display unit to be stopped at the second position where said only one of the key sections is exposed citing Figures 6a-6b, column 5, lines 32-67 and column 6, lines 1-38 of Lonka. See Item 6 on lines 19-22 of page 4 of the Office Action.

In contrast, Applicants respectfully submit that a recess 708, detent pin 707 and trigger 706 in Lonka disclose a locking design to keep the mobile phone in the transport position. See column 5, lines 47-52 of Lonka. Further, Lonka discloses the mobile phone can be returned to the operating position. See column 5, lines 64-67 of Lonka. Lonka discloses a lock design could be provided that locks the upper and the lower part in the operating position. See column 6, lines 1-5 of Lonka. Thus, Lonka discloses the mobile phone potentially being locked in a transport position and an operating position.

Accordingly, Applicants respectfully submit that Lonka/Capps do not teach or suggest any modification to their disclosure that would result in at least features of a stopper mechanism configured to allow the display unit to be stopped at the second position where said only one of the key sections is exposed and combinations thereof as recited in claim 2.

5) With respect to claim 19, Applicants respectfully submit that Lonka does not teach or suggest at least features of a resistive locking member between the display unit and the

main unit wherein the resistive locking member has an engaging member and an engagement member that retractably engage at least when the display unit is in the second position and combinations thereof as recited in claim 19. In contrast, Applicants respectfully submit Lonka discloses mobile phone 300 having a lid 302 that slides between an open position and a closed position relative to the housing 301 to adjust its size to a user. See column 2, lines 1-3 of Lonka. Further, Applicants respectfully submit Lonka does not teach or suggest any modifications to its disclosure that would result in at least features of providing a resistive locking member and combinations thereof as recited in claim 19.

With respect to claim 19, the Office Action asserts Capps teaches a device that provides a mechanical lock to help maintain pivoting cover 502 in the open position "O" as seen in Figures 4b, 5b, paragraph 0055 and claim 9. The Office Action further asserts that Figures 2a-5c in Capps reads in the first, second and third position citing paragraphs 0040-0052 of Capps. See Item 6, lines 1-5 of page 8 of the Office Action.

In contrast to the Office Action's assertion, Applicants respectfully submit that Capps discloses device 101 or device 501 in a textual input mode (e.g., paragraphs 44-45 and 48) and a telephony input mode (e.g., paragraphs 46-47 and 51). Further, Capps discloses the devices 101, 501 in two positions (e.g., textual input mode in Figures 1a-1c, 3c, 4a and 5a-5b and telephony input mode in Figures 2a-2c, 3b, 4b and 5d-5e). See paragraphs 28-32 of Capps. Thus, Applicants respectfully submit that Capps Figures 2a-5c do not teach or suggest at least features of first, second and third positions as variously recited in claim 19. Accordingly, Applicants

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respectfully submit that Lonka/Capps do not teach or suggest any modification to their disclosure that would result in at least features of at least features of first, second and third positions as variously recited in claim 19.

6) With respect to claim 10, Applicants respectfully submit Lonka does not teach or suggest at least features of first and second magnets respectively so that the magnets face each other to provide a repulsive force when they are positioned to face close to each other and combinations thereof as recited. In contrast, Applicants respectfully submit Lonka does not teach or suggest the use of magnets with respect to a portable terminal. See at least column 7, lines 1-28 of Lonka.

With respect to claim 10, Applicants respectfully submit that Capps does not teach or suggest at least features of first and second magnets and combinations thereof as recited. In contrast, Applicants respectfully submit that Capps does not teach or suggest the use of magnets with respect to a portable terminal. See the disclosure of Capps. Thus, Applicants respectfully submit that Lonka and Capps, individually or in combination, would not result in at least features of first and second magnets and combinations thereof as recited in claim 10.

7) For at least the reasons set forth above, Applicants respectfully submit claims 1, 2, 19, and 10 define patentable subject matter. Claim 8 defines patentable subject matter for at least reasons similar to claim 1. Claim 22 defines patentable subject matter for at least reasons similar to claim 19. Claims 4, 11 and 20 define patentable subject matter for at least reasons similar to claim 10. Further, claims 2-6, 9, 11-14, 16-18 and 20 depend from claims 1, 8, 10 and

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19, respectively, and therefore also define patentable subject matter for at least that reason as well as their additionally recited features. Claim 7 is canceled without prejudice or disclaimer. Withdrawal of the rejection of claims 1-14 and 16-22 under §103 is respectfully requested.

C. The Office Action rejects claim 15 over Lonka and U.S. Patent Publication No. 2004/0067768 to King et al. (hereafter "King"). The rejection is respectfully traversed.

Applicants respectfully submit that King does not teach or suggest at least features of first and second magnets and combinations thereof as recited in claim 10 and lacking from Lonka and Capps. Thus, King, Lonka and Capps, individually or in combination, would not result in at least features of a slide type portable computer including a main unit, a display unit and first and second magnets and combinations thereof as recited in claim 15.

For at least the reasons set forth above, Applicants respectfully submit claim 15 defines patentable subject matter. Withdrawal of the rejection of claim 15 under §103 is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Carl R. Wesolowski**, at the telephone number listed below.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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